

SECTION IV B

Listed on 16.09.2015

Court No. R-1

IN THE SUPREME COURT OF INDIA Item No. 20

CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS. 36645, 36646 OF 2013, 336, 491, 3408, 3409, 3411, 3511, 3512, 3513, 4769, 4770, 4771, 5788, 8324, 8386, 9830, 9832, 9833, 9836, 9838, 9839, 9842, 11957, 13991, 13996, 13997, 14034, 14035, 16336, 17267, 18544, 21459, 27783, 9829 OF 2014 AND 5270 OF 2015, 8427, 8428, 9831 of 2014

WITH PRAYER FOR INTERIM RELIEF

State of Punjab & Ors. Etc. Etc. ....Petitioner(s)

Versus

Jagdish Singh & Ors. Etc. Etc. ....Respondent(s)

OFFICE REPORT

SLP (C) Nos. 36645, 36646 OF 2013, 336, 491, 3408, 3409, 3411, 3511, 3512, 3513, 4769, 4770, 4771, 5788, 8324, 8386, 9836, 9838, 13991, 13995, 13996, 13997, 14035, 16336 of 2014, 5270 of 2015, 9829, 9832, 9833, 9839, 9842, 11957, 18544, 17267, 21459 of 2014

The matters above mentioned except were listed before the Ld. Registrar's Court on 10.07.2015, when the following order was passed:-

"SLP(C) NOS. 36645, 36646 of 2013

Counter affidavit has not been filed by respondent Nos. 1 to 5, 7,9 to 13 in SLP(C) no. 36645/2013 and respondent nos. 45,52 and 53 in SLP(C) no. 36646/2013 despite the order dt.31.3.2015. Therefore, instructed to be filed within two weeks time.

The ld. Counsel, Ms Sunita Sharma has filed vakalatnama on behalf of some of the respondents which is defective. Defects be cured within two weeks time.

SLP(C) NO.3408/2014

Vakalatnama filed but it is still defective. Counter affidavit also not filed. The ld. counsel for respondent Nos. 1 to 16 reported that they will adopt the counter affidavit in the connected matters.

SLP(C) NO.3409/2014

Respondent nos. 1 to 15 have not filed Counter Affidavit inspite of last opportunity provided. Further opportunity is therefore declined.

SLP(C) NO.3411/2014

Respondent no.10 is reported to have expired. An application for substitution is to be filed in respect of deceased respondent no.10.

In respect of respondent nos. 1 to 9 and 11 to 20, no counter affidavit has been filed. Further opportunity is declined.

SLP(C) NO.336/2014

Respondent nos. 1 to 29 have not filed counter affidavit inspite of last opportunity provide. Further opportunity is therefore declined.

SLP(C) NO.491/2014

Respondent nos. 1 and 2 have not filed counter affidavit as pleadings have not been served by the counsel for the petitioner. Be served within two weeks time and counter affidavit be filed within four weeks thereafter.

SLP(C) NO.3511/2014

Respondent nos. 1 to 40, 42, 45 have not filed counter affidavit inspite of last opportunity provided. Further opportunity is therefore declined.

Respondent no.41 is reported to have expired. An application for substitution to be filed in respect of deceased respondent no.41.

SLP(C) NO.3512/2014

Respondent nos. 1 to 42 have not filed counter affidavit inspite of last opportunity provided. Further opportunity is therefore declined.

SLP(C) NO.3513/2013

Service is complete in respect of respondent nos. 1 to 29 but none has entered appearance.

SLP(C) NO.4769/2014

Service is complete in respect of respondent nos. 1 to 8 but none has entered appearance.

SLP(C) NO.4770/2014

Respondent nos. 1 to 47 have not filed counter affidavit inspite of the last

opportunity provided. Further opportunity is therefore declined.

SLP(C) NO.4771/2014

In respect of respondent nos. 1 to 3, 6, 7 and 10, defects not cured in the vakalatnama filed. Counter affidavit also not filed. Ld. Counsel for the respondents is directed to cure the defects within two weeks time and therefore file counter affidavit within four weeks.

SLP(C) NO.16336, 14035 of 2014

The ld. Counsel for the petitioner has not taken fresh steps with regard to the sole respondent, despite order. Be taken within two weeks time. Notice thereafter be issued.

SLP(C) NO.17267/2014

The ld. Counsel for the petitioner has not taken fresh steps to effect service on respondent nos. 1,4 and 28 to 31. Be taken within two weeks time. Notices thereafter be issued.

SLP(C) NO.21459/2014

The ld. Counsel for the petitioner has not taken fresh steps to effect service on unserved respondents. Be taken within two weeks time. Notices thereafter be issued.

SLP(C) NO.18544/2014

Sole respondent has filed counter affidavit.

SLP(C) NO.8324/2014

Service is not complete in respect of the sole respondent. Ld. Counsel for the petitioner to take fresh steps for the same. Be taken within two weeks time. Notices thereafter be issued.

SLP(C) NO.8386/2014

Service is not complete in respect of the respondent Nos. 18 and 23. Ld. Counsel for the petitioner to take fresh steps for the same. Be taken within two weeks time. Notices thereafter be issued.

Vakalatnama filed in respect of respondent nos. 1 to 7, 19 to 22, 24,36. Counter affidavit be filed within four weeks time.

SLP(C) NO. 9833, 9836, 9838, 9839 of 2014

Ld. Counsel for the petitioner to take fresh steps for effecting service on the unserved respondents. Be taken within four weeks time. Notices thereafter be issued.

SLP(C) NO.9832/2014

Counter affidavit has not been filed in respect of respondent nos. 1 to 34. Be filed within four weeks time.

SLP(C) NO.13996/2014

Ld. Counsel for the petitioner to take fresh steps to effect service on unserved respondent no.39. Registry is directed to give the status report in respect of all the respondents.

SLP(C) NO.13997, 13995, 13991 of 2014

Ld. Counsel for the petitioner to take fresh steps for effecting service on the unserved respondents. Be taken within four weeks time. Notices thereafter be issued.

SLP(C) NO.5270/2015

Service is complete in respect of respondent nos. 2,3,5,6,7,8,14,16 to 18 but none has entered appearance.

Show cause notice is not complete in respect of respondent nos. 1,4,9 to 13 and 15. Ld. Counsel for the petitioner to take fresh steps for effecting service. Be taken within four weeks time. Notices thereafter be issued.

At this stage the ld. Counsel, Mr Balbir Singh Gupta has mentioned that he has filed counter affidavit in SLP(C) No. 336/2014 and 4770/2014. The said counter affidavit be adopted in the respective connected matters. Registry to submit report accordingly in view of the above said submission by next date.

List again on 16.9.2015. "

SLP (C) Nos. 36645 AND 36646 OF 2013

Service position is as under :-

SLP No.	Total RRS.	A.D/ Dasti	V/A filed	Neither AD/US cover	C/A filed	Remarks
36645/13	13	1-13	1-5,7 and 9-13	-	-	Complete
36646/13	63	1-63	45,52 & 53	-	-	complete

It is submitted that no Counter Affidavit has been filed on behalf of Respondent Nos. 1 to 5, 7 & 9-13 in SLP (C) No. 36645 of 2013 and Respondent Nos. 45, 52 & 53 in SLP (C) No. 36646 of 2013 despite two weeks time given by Ld. Registrar vide order dated 10.07.2015.

It is further submitted that in SLP (C) No. 36646/2013, Ms. Sunita Sharma, Advocate has filed Vakalatnama & Memo of Appearance on behalf of some respondents which is defective as signatures of the parties are in vernacular and their names and respondent numbers are not mentioned in the vakalatnama till date despite two weeks' time granted by the Ld. Registrar's Court vide order dated 10.07.2015.

SLP(C) NOS. 3408, 3409, 3411, 336, 491, 3511, 3512, 3513, 4769, 4770, 4771 AND 5788 OF 2014

Service position of each matter is as under :-

SLP No.	Total RRS.	V/A filed	AD* Recd.	Unservd Resp.	C/A filed	Served through Trial Court	Remarks
*3408/14	16	defective	-	-	-	1-16	Complete
3409/14	15	1-15	-	-	Not filed	-	Complete
3411/14	29	1-9 11-20	21-24, 26-29	-	-	**10 (dead), 25	Incomplete
336/14	29	1-29	-	-	Not filed	-	Complete
*** 491/14	2	1-2	-	-	-	-	Complete
#3511/14	45	1-40 42-45	-	-	-	#41 (dead)	Incomplete
3512/14	42	1-42	-	-	Not filed	-	Complete
**** 3513/14	29	-	18	-	-	1-29	Complete
4769/14	8		-	-	-	1-8	Complete
4770/14	1-47	1-47	-	-	Not filed	-	Complete
## 4771/14	25	1-3, 6,7,10	4,5, 11-141 6-2123 -25	-	-	8, 9,15 & 22	Incomplete

SLP No.	Total RRS.	V/A filed	AD* Recd.	Unsrvd Resp.	C/A filed	Served through Trial Court	Remarks
5788/14	1	1	-		-		complete

\* In SLP (C) No. 3408/14, Ms. Sunita Sharma, Advocate for Respondent Nos. 1-16 has not cured the defects in the Vakalatnama /Memo of Appearance and has not filed Counter Affidavit on their behalf.

\*\* In SLP (C) No. 3411/2014, no application for substitution has been filed to bring Lrs. of deceased Respondent No. 10 so far.

\*\*\* In SLP (C) No. 491/14, counsel for the petitioner has not filed any proof of service of SLP to Respondent Nos. 1 & 2. Hence, no Counter Affidavit has been filed.

# in SLP (C) No. 3511/2014, no application for substitution of deceased Respondent No. 41 has been filed so far.

## In SLP (C) No. 4711/2014, Ms. Sunita Sharma, Advocate has not cured the defects in the Vakalatnama /Memo of Appearance and Counter Affidavit so far. Counsel for the petitioner has not filed application for substitution of deceased Respondent No. 9 so far.

SLP (C) No.16336/2014)

It is submitted that Counsel for the petitioner has taken fresh steps. Accordingly, fresh show cause notice was issued on 29.07.2015 to the sole respondent. Neither A.D. card nor unserved cover containing notice has been received back.

Service of show cause notice is not complete on sole respondent.

SLP (C) No. 17267/2014

It is submitted that fresh show cause notice to unserved respondent nos. 1, 4 & 28-31 was issued on 09.09.2015 and service is still awaited.

Service of show cause notice is incomplete in respect of Respondent Nos. 1, 4 and 28-31.

SLP (C) No. 21459/2014

It is submitted that fresh show cause notice to all 22 respondents has been issued by Regd. A.D. Post on 08.08.2015. Service is awaited.

SLP (C) No. 18544/2014

It is submitted that Mr. Tushar Bakshi, Advocate has filed Vakalatnama /Memo of Appearance and Counter Affidavit on behalf of sole respondent.

Service of show cause notice is complete.

SLP(C) Nos. 8324, 8386, 8427, 8428, 9830, 9831, 9832, 9833, 9836, 9838, 9839 AND 9842 OF 2014

SLP (C) Nos.8324, 8386, 9833, 9838 and 9839 of 2014

It is submitted that in the above mentioned matters, Counsel for the petitioners has filed requisite spare copies. Accordingly, show cause notice has been issued in respect of sole respondent in SLP (C) No. 8324 of 2014, Respondent Nos. 18 & 23 in SLP (C) No. 8386 of 2014, Respondent Nos. 18 & 19 in SLP (C) No. 9833 of 2014, Respondent No. 8 in SLP (C) No. 9838 of 2014, Respondent Nos. 2, 4, 7, 9, 18-21, 31-34, 44, 49, 53, 54, 56 & 57 in SLP (C) No. 9839 of 2014. Neither A.D. cards nor unserved covers containing notice have been received back in respect of Respondents so far.

SLP (C) Nos.9830, 9836 of 2014

It is further submitted that Counsel for the petitioners has not taken fresh steps for effecting service upon unserved respondents in SLP (C) Nos. 9830,

Service position of each matters as under:-

Case No.	Total RRs.	V/A filed	C/A	AD / Dasti	Neither AD	Remarks
8324	Sole	-	-	-	1	Incomplete
8386	36	1-17, 19-22, 24-36	-	-	18 & 23.	Incomplete
8427	17	1-17	filed	-	-	Complete
8428	14	1-14	-	-	-	Complete
9830	18		-	1,3-8,10-14 , 15 & 17	2, 9, 16 & 18	Incomplete
9831	70	1-4, 6-57, 59, 61-67, 69-70	-	-	5, 58, 60 & 68	Incomplete
9832	34	1-34	-			Complete
9833	34	1-17, 20-34	1, 5, 8-17, 20-34	-	18-19	Incomplete
9836	12	1-10		1-10	11, 12	Incomplete
9838	18	1-7, 9-18	-		8	Incomplete
9839	57	-	-	1, 3, 5, 6, 8, 10-17, 22-30, 35-43, 45-48, 50-52, 55	2, 4, 7, 9, 18-21, 31-34, 44, 49, 53, 54, 56, 57	Incomplete
9842	5	1-5	-	-	-	Complete

In SLP(C)Nos. 9830, 9831, 9833, 9836, 9838, 9839 & 9839, 8324, 8386 of 2014, Counsel for the petitioners has not taken fresh steps to served unserved respondents so far.

SLP (C) No. 13996/2014

The matter above mentioned was listed before the Hon'ble Court (In Chamber) on 15.01.2015, when the Court was pleased to pass the following order:-

" Issue fresh notice to Respondent No. 39 returnable after four weeks.

The Counsel for the petitioners is directed to comply with the office report

dated 8<sup>th</sup> December, 2014 in the meantime.”

Accordingly, show cause notice was issued to Respondent No. 39. Neither A.D. card nor unserved cover containing notice has been received back so far.

Service of show cause notice is not complete on Respondent No. 39.

SLP (C) Nos. 13991, 13996 and 13997 of 2014

Service position of each matters is as under:-

<b>SLP</b>	<b>Total Resp.</b>	<b>V/A</b>	<b>A.D card</b>	<b>Neither A.D</b>	<b>Remarks</b>
13991	1	-	-	1	Incomplete
13996	77	1-38, 40-77	-	39	Incomplete
13997	91	1-86 88-91	-	87	Incomplete

It is submitted that Counsel for the petitioners have not taken fresh steps so far.

SLP (C) No. 5270 of 2015

It is submitted that Counsel for the petitioner has not taken fresh steps for effecting service upon Respondent Nos. 1, 4, 9-13 & 15 so far.

Service of show cause notice is not complete on Respondent Nos. 1, 4, 9-13 & 15.

SLP (C) No. 14035 of 2014

It is submitted that fresh show cause notice to sole respondent has been issued on 09.09.2015. Service is awaited.

SLP (C) No. 14034 of 2014

It is submitted that there are total 24 respondents. Respondent Nos. 1 to 21 are represented through Mr. Balbir Singh Gupta, Advocate, but he has not filed Counter Affidavit so far.

It is further submitted that show cause notice to Respondent Nos. 22 to 24 was issued by Regd. A.D. Post on 30.03.2015. Neither A.D. card nor unserved cover containing notice has been received back so far.

Service is not complete on Respondent Nos. 22 to 24.

SLP (C) No. 11957 of 2014

It is submitted that A.D. Card duly signed has been received back from sole respondent but no one has filed vakalatnama on her behalf so far.

Service is complete on sole respondent.

SLP (C) No. 27783 of 2014

It is submitted that show cause notice to sole respondent was issued. But neither A.D. card nor unserved cover containing notice has been received back.

Service is not complete on sole respondent.

The matters are listed before the Ld. Registrar with this office report.

Dated this the 15<sup>th</sup> day of September, 2015.

ASSISTANT REGISTRAR

Copy to:-Mr. Jagjit Singh Chhabra, Adv.

Mr. Kuldip Singh, Adv.

Mr. Tushar Bakshi, Adv.

Mr. Balbir Singh Gupta, Adv.

ASSISTANT REGISTRAR

Haokip-Mty